GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:648
ANSWERED ON:27.04.2016
Indians Jailed Abroad
Kachhadia Shri Naranbhai;Kaswan Shri Rahul

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

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(a) the number of Indians currently incarcerated abroad, country-wise and the details of those who completed their prison terms and are due to be freed;
(b) whether delays in their release has been noted and if so, the details thereof and reasons therefor;
(c) whether India is ensuring that the basic rights of Indian prisoners abroad are being taken care of and if so, the details thereof; and
(d) whether the Government is in contact with foreign governments to find out the exact number of Indian prisoners in foreign jails so as to protect the rights of Indian prisoners and if so, the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS
[GEN. (DR) V. K. SINGH (RETD)]

(a) Due to the strict provisions of privacy laws, many countries in Europe, United States of America, Canada & Australia do not share information about Indian nationals who are in their prisons. However, as per the information available, 7213 Indian nationals are lodged in foreign jails. A list showing the number of Indians lodged in foreign prisons as on date is annexed.

(b) to (d) As per data available, there are 479 Indian nationals who have completed their sentences and are waiting for completion of deportation formalities. Indian Missions and Posts in those countries have taken up with the respective foreign governments the speeding up of the process, including issue of final Exit Visas, waiver of penalties imposed on Indian workers, etc. from the concerned authorities and for the early return of the Indian nationals to India. Where required, the Indian Missions and Posts abroad also provide air tickets for facilitating the return of the Indian prisoners who have completed their sentences to India.

Indian Missions/Posts abroad always strive to respond promptly to the requests/appeals by Indian citizens in distress. As soon as the information about detention/arrest of an Indian national is received by the Indian Mission/Post, it gets in touch with the local Foreign Office and other concerned local authorities to get consular access to the detained/arrested Indian national to confirm his or her Indian nationality and ensure their welfare. In some countries where pro bono lawyers are available, the Mission arranges such legal assistance to the Indian prisoners. Government of India also provides initial legal assistance to distressed Indian nationals in deserving cases.

Steps taken by our Missions include requesting local authorities for speedy trials, seeking remission of sentence, providing advice and guidance in legal and other matters, ensuring fair and humane treatment in foreign jails, issue of emergency certificates and repatriation to India of those who are released. In some countries, our Mission also requests the local government for grant of amnesty to the arrested Indians and if any mercy petition for remission of sentences is received from the family members of the Indian prisoners, the Mission forwards them to the local authorities for consideration. India has signed Treaties for Transfer of Sentenced Persons with 35 countries, under which Indian prisoners have been brought back to India from some of these countries.